



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## THE NEGRO IN BRITISH SOUTH AFRICA.<sup>1</sup>

It was in the United States Senate, during the summer of 1919, that there was in progress a debate concerning the ratification of the Treaty of Peace with Germany and the consequent ratification of the covenant of the League of Nations. Speaking to this question the words of Senator William Edgar Borah of Idaho were, in substance, these: "The President of the United States has said that if we fail to ratify the covenant of the League of Nations we will 'break the heart of the world.' . . . But, sir, failure to ratify this covenant will not break the heart of China, which constitutes a third of the world; it will not break the heart of India; *it will not break the hearts of the natives of the South African Republics.*"

How could the Senator from Idaho state so confidently that the failure of the League of Nations, under which Great Britain retained her rôle as protector of British South Africa, would not be a source of grief to the natives of the republics thus protected? What is the status, political, economic and social, of these people? For what do they stand on the African continent? How have they withstood the characteristic onslaught of British colonization and imperialism? What does "the autonomous development of small nations" mean to them? Any reasonable attempt to answer questions of this nature necessitates a review, however brief it may be, of the history of South African colonization by the English and of its relation to the native.

British South Africa, which occupies the entire southern horn of the African continent, from the southern coast to the Zambesi River, and from the Indian Ocean on the east to the Atlantic on the west, has a population of about

<sup>1</sup> The facts concerning South Africa herein given are obtained from select constitutional documents in the appendix of *The Bantu*, by S. M. Molema. This book was published by W. Green and Son, Ltd., Edinburgh, 1920.

6,500,000 people, fully five-sixths of whom are of Negro extraction, the other one-sixth being of European—British and Boer. It is a “southern black belt” in every sense of the term, and its Negro or Negroid inhabitants belong to the subdivision of the race to which ethnologists have given the name “Bantu,” a native African word meaning “the people.” Their origin is unknown, and no authentic history of their racial and tribal movements is available. All that is known of their past is what has been gleaned by surmise and deduction from the condition in which they were found by missionaries and traders making their way into South Africa. A nomadic, patriarchally governed people—polygamists, ancestor-worshippers, tillers of the soil, sheep-raisers, raiders upon neighboring tribes—such were the primitive Bantu. Let the reader substitute “Bantu” for “Germani” in Tacitus’s classic description, or for “Britons” in any accurate portrayal of the manners and customs of the early inhabitants of the British Isles, and he will catch the true *spirit* of life as it was among the primitive Bantu before the advent of the European missionary and trader.

The missionary, first as civilizer and educator, later as protagonist of the political rights of the Bantu, has been a potent factor in their development. “To the Bantu, perhaps more than to any other people,” says Mr. S. M. Molema, himself a member of that race, “the missionaries have stood for civilization, Christianization and education.”<sup>2</sup> Niggardly and inadequate governmental appropriations for common schools have been supplemented by missionary funds, and in many cases missionary funds alone have supported and are still supporting native schools. “In short, every educated member of the Bantu race, no matter how great or small his education may be, is directly or indirectly a product of the mission school.”<sup>3</sup> This fact should be borne in mind whenever one considers the relations which exist between the native and the govern-

<sup>2</sup> Molema, *The Bantu*, p. 220.

<sup>3</sup> *Ibid.*, p. 237.

ment. The Bantu feel that the missionary, and not the government, is responsible for their enlightenment, and it is to the missionary that their gratitude is poured out.

What has been the attitude of the other class of Dutch and British newcomers, of the trader and colonist group, toward the natives whom they found living under native law and custom? Some will call it a credit, others a discredit, to the European regime that more than a century and a half passed before any inroads were made upon native independence and sovereignty. Members of the Dutch East India Company, under Jan van Riebeeck, landed on the Cape of Good Hope as early as 1652; the British occupied the Cape in 1806, but it was not until 1846 that any portion of the South African territory came under British control. Before this time the Boer and Briton had been bent almost solely upon the establishment of amicable and successful trade relations with the natives. The Boer had come to the Cape to find an ocean port for his vessels, and while it is true that wars were waged between Boer and Bantu for the duration of a century, the natives were only driven inland and no attempt was made to establish European sovereignty over them.

In 1806, however, the British obtained final control of the Cape, and in 1846 put an end to their former policy of "hands off" by making a British province, called Kaffraria, of all the country lying between the Kei and the Keiskama Rivers. In 1865 this province was formally annexed to and incorporated in the English state, called Cape Colony, which had been set up on the Cape. From this time colony after colony was formed, annexed and incorporated by both British and Boers, the latter of whom had marched northward in "the Great Trek" of 1836. The Boers formed the Republic of Natal in 1838, but moved out in 1842, and Natal was annexed to the British Cape Colony in 1844. The Boers, continuing northward, next set up Transvaal and the Orange Free State. The constitution of the latter bears the date 1854, and of the former 1858.

Cape Colony, Natal, Transvaal and the Orange Free State, then, are the South African States which were set up by British and Boer—now five-sixths Negro and one-sixth European in population. An examination of the constitutions and laws of these republics, as they appear on the statute books and in practice, reveals that the relationship between European and native has not been the same in all of the states.

#### CAPE COLONY

Cape Colony, farthest south and the oldest of the four states, was founded upon the principle of political equality of all inhabitants, black and white. A proclamation of the Duke of Newcastle (1853) contained the following statement:

“It is the earnest desire of Her Majesty’s Government that all her subjects at the Cape, without distinction of class or colour, should be united by one bond of loyalty, and we believe that the exercise of political rights by all alike will prove one of the best methods of attaining this object.”<sup>4</sup>

At the first, every activity of the British colonizers seemed to be pointing toward the day when they would relinquish all direct governmental authority and turn it over into the hands of the natives. Districts were under the control of native boards elected by popular vote and sending representatives to the Grand Council. Black and white alike shared the privilege of franchise. Such social distinctions as were made were personal, not sanctioned by law.

#### NATAL

Natal is likewise a British colony, but from the first has adopted a policy toward the native entirely different from that of Cape Colony. Politically shrewd, she does not flatly deny the right of the native to vote, but by carefully worded legal phraseology so limits the voting class that, in effect, her policy is “No votes for natives.” Under date of Au-

<sup>4</sup> Molema, *The Bantu*, p. 241.

gust 24, 1865, appears a law "disqualifying *certain* natives from exercising electoral franchise" (the italics are in all cases ours). The following extract is taken from this law:

"Be it therefore enacted by the Lieutenant-Governor of the Colony of Natal, etc., as follows:

"1. Every male native, resident in this Colony, or having the necessary property qualifications therein, whether subject to the operation of the native laws, customs and usages in force in this Colony or exempted therefrom save as in this law provided, shall be disqualified from becoming a duly registered elector, and shall not be entitled to vote at the election of a member of the Legislative Council for any electoral district of the Colony of Natal."<sup>5</sup>

Certain natives, however, may vote. The conditions of their voting are these:

"2. Any male native inhabitant of this Colony who shall show to the satisfaction of the Lieutenant-Governor that he has been resident in this Colony for a period of twelve years, . . . and who shall possess the requisite property qualifications, and shall have been exempted from the operation of Native Law for a period of seven years, and who shall produce to the Lieutenant-Governor a certificate signed by three duly qualified electors of *European origin* . . . a statement to the effect that the Justice or Magistrate endorsing said certificate has no reason to doubt the truth of said certificate, . . . shall be entitled to *petition the Lieutenant-Governor* of Natal for a certificate to entitle him to be registered as a duly qualified elector. . . .

"5. The Lieutenant-Governor may, at his discretion, grant or refuse to any native applying in manner aforesaid for such certificate entitling him to be registered as a duly qualified elector. . . ."<sup>6</sup>

This franchise law was amended in 1863, as follows:

"6. No person belonging to a class which is placed by special legislation under the jurisdiction of Special Courts, or is subject to special laws and tribunals, shall be entitled to be placed on the Voters' List. . . ."<sup>7</sup>

<sup>5</sup> Molema, *The Bantu* (appendix), p. 378.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, p. 378.

When it is understood that special laws for natives, and for natives only, are actually a part of the Natal Code, the effect of this amendment may be seen.

#### TRANSVAAL AND THE ORANGE FREE STATE

The two republics founded by the Boers have at least the virtue of frankness in their make-up; for, without the circumlocution of their neighbors in Natal, they flatly and expressly withhold from the native all rights of citizenship. The following extracts from Transvaal law are sufficient evidence of this fact:

From the Grondwet (or Constitution) of Transvaal (February, 1858):

“ 9. The people desire to permit no equality between coloured and white inhabitants, *either in church or state.*

. . . . .

“ 31. . . . No coloured person or half-castes shall be admitted to our meetings.”

From a law of June 12, 1876:

“ No person not regarded as belonging to the white population of the South African Republic shall be enrolled as a burgher possessing the franchise according to Article 9 of the Grondwet.”<sup>8</sup>

A resolution of the Volksraad, June 18, 1885, runs thus:

“ 159. When a male person has been recognized as a burgher of this Republic, his wife shall thereby also be recognized and remain a burgheress of this Republic.

“ *All coloured people are excluded from this provision, and (in accordance with the Grondwet) they may never be given or granted rights of burghership. . . .*”

So much for Transvaal. The Constitution of the Orange Free State, adopted April 10, 1854, contains a provision restricting the right of suffrage by incorporating throughout the law the term all white persons. In short, the Boer plainly and bluntly disdains to use the diplomatic

<sup>8</sup> Molema, *The Bantu*, p. 368.

phraseology of the British statesman. He shuts the door of hope in the native's face, without apology or equivocation.

### THE UNION OF SOUTH AFRICA

Such was the state of affairs in 1910, Cape Colony granting absolute citizenship to all inhabitants, Natal cleverly refusing it to natives, Transvaal and the Orange Free State flatly withholding it. In 1910, however, long-continued propaganda in favor of bringing the Boer and British states together, to be thenceforth under a common government, bore fruit, and the four republics united to form the Union of South Africa.

The day of the passage of the act of union (called the South Africa Act) was an ill one for the South African native. Cape Colony, the one benevolent and fair-minded state, could not help but be over-ruled by the three states whose policy toward the native was one of oppression and political non-representation. Hence the South Africa Act (1909) contains the following provisions:

“ IV.—(26) The qualifications of a senator shall be as follows—

He must . . . . .  
be a British subject of *European descent*.

36. . . . the qualifications of parliamentary voters, as existing in the several colonies, at the establishment of the Union, shall be the qualifications necessary to entitle persons in the corresponding provinces to vote for the election of members of the House of Assembly.

44. The qualifications of a member of the House of Assembly shall be as follows—

He must . . . . .  
be a British subject of *European descent*.<sup>9</sup>

In other words, no native can be a member of the South African Parliament. Even if the natives of Cape Colony, who have the right of franchise under section 36 above; for

<sup>9</sup> Molema, *The Bantu* (appendix), p. 384.



they had it "at the establishment of the Union"—even if they should elect one of their number to represent them, such duly elected person could not be seated. Under the laws of the Union, then, the Cape Colony right of franchise has been nullified and "the Bantu and coloured people in the Provinces of Natal, Transvaal and Orange Free State are unrepresented in the Union Parliament, and those of the Cape Province are but indirectly represented. The five million coloured peoples in the Union have no direct representation, and the one million, five hundred thousand white people have all the representation and say."<sup>10</sup>

Now, although the natives are not eligible for election to the South African Parliament, they have a deliberative body, known as the South African Native National Congress, to which native representatives are sent from all districts. With no legislative authority, however, this body can only *discuss* legislative measures which have been proposed before the South African Parliament when such measures affect the natives, and it may use "all available constitutional methods" for or against the proposed measures. But of what avail to protest against a law when the persons to whom the protest must be made are those who have enacted the law? An appeal to the British government would be useless, for the British government has declared that the Union of South Africa is "self-governing."

Such, in brief, is the political status of the Negro in British South Africa, and the government of Great Britain, having set up "self-governing South Africa," has thus far refused to come to the rescue of the natives. As a member of the British Parliament said during the debate on the Union Bill, "it [the proposal for unification] is the unification of the white races to disfranchise the coloured races, and not to promote union between all races in South Africa." The passage of the Union Bill sounded the political death knell of the South African native.

His economic condition is equally as disheartening.

<sup>10</sup> Molema, *The Bantu*, pp. 245-246.

When the Union was set up, native employees of the government in the railway, post office, telegraph and civil service systems were discharged in large numbers and their places were given to Europeans. Enforced labor of natives is statutory in Natal, and a tax upon natives, from which they are exempted upon certification that they have worked for a certain number of months during the year, is levied throughout Cape Colony. The most iniquitous feature of the economic status of the native South African, however, is that which resulted from the passage, in 1913, of the Natives' Land Act "to take effective measures to restrict the purchase and lease of land by natives" by setting apart certain areas in which natives were not permitted to acquire land. It assigned approximately 21,500,000 acres of land to the 5,000,000 natives, reserving 275,000,000 acres for the 1,500,000 white inhabitants. Natives who were living within the area set aside for white inhabitants had to sell their grain and stock and either move their families to an area assigned to natives or hire themselves out to white men. This condition has existed, moreover, since 1913. Recently, however, the Natives' Land Act has been declared to be without effect, because its provisions conflict with those of the original South Africa Act; but, as Mr. Molema remarks, the South Africa Act is easily amended. There is nothing in the past record of the Union to indicate that an amendment to cover the Natives' Land Act will not be incorporated in the Constitution, thus making the natives' serfdom permanent.

Since the native South African is a political and economic nonentity, it is not surprising to note that, socially, he is on one side of a great gulf fixed between him and his white neighbors. The South African native is indeed a social outcast. Portions of the following extract, describing social relations in South Africa, should ring familiarly in American ears:

"The peculiar colour-prejudice of South Africa . . . finds expression everywhere—in the streets, in the public buildings, in the

public conveyances, in the press, nay, in the church itself. Thus, if a black man were to try to get into an hotel, let his education be what it will, he would be refused admission; but supposing he did manage to enter somehow, if he appeared at table, all the whites would leave it. . . . All over South Africa whites will not mix with blacks in railway compartments, tramcars or post-carts. . . .

“Bantu children and European children are provided with separate schools.

“ . . . On that lavatory you see written ‘Gentlemen,’ and there only white men may go. On that other lavatory you see written ‘Amadoda’ (men), and this is meant for black men.

“One would expect that the distinction would not go the length of the church, but it does so with sober earnestness. . . .

“The *average* white man in South Africa would never think of shaking hands with a black man. The ordinary terms of courtesy are purposely avoided by him, and such a prefix as ‘Mr.’ or ‘Mrs.’ in association with a black man’s or woman’s name never escapes his lips. . . .

“‘A single case of marriage between white and black by Christian rites will fill the newspapers with columns of indignant protest, but illicit intercourse, even permanent concubinage, will pass unnoticed.’ ”<sup>11</sup>

The American Negro, it may be said, habitually thinks of himself as the most unfortunate of God’s creatures, but his South African brother is still more unfortunate. Separate schools, separate churches, separate waiting-rooms, “jim crow cars”—with these the American Negro is familiar. With few exceptions, however, he may work independently, unlike the South African native, and at his own calling. He may acquire as much property as he can pay for. If he will “go North” for his education, he may sit at the feet of the best scholars his country produces. Direct representation in state legislative bodies is not unknown to him, and direct representation from some districts to the National Congress seems to be at hand. The trend of the American Negro is upward, but the South African native remains on an unchanging plane of misery and op-

<sup>11</sup> Molema, *The Bantu*, pp. 264–266.

pression. For the American Negro, in spite of discrimination, lynching and riot, the star of hope shines with ever-increasing luster, but its beams, at the present time, seem scarcely to reach his South African brother. The British protectorate of self-governing South Africa has not been a boon to the South African native, for the home government has abandoned him to the hands of his oppressors.

D. A. LANE, JR.